

### **REMARKS**

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-17 are pending. Claims 3 and 9 are amended, and claims 13-17 are added. Claims 1, 7 and 13 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

### **Allowable Subject Matter**

The Examiner states that claims 9 and 12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims;

The Applicant appreciates the Examiner's early indication of allowable subject matter. As indicated below, objected-to claims 9 and 12 are not rewritten in independent form at this time, since the Applicant believes that independent claims 1 and 7 are in condition for allowance as currently written, and thus there is no need to further limit independent claims 1 and 7.

### **Claim for Priority**

The Examiner has acknowledged the Applicant's claim for foreign priority.

**Acknowledgement of Information Disclosure Statement**

It is gratefully acknowledged that the Examiner has acknowledged the Information Disclosure Statement filed on November 25, 2003.

**Amendments to the Specification**

Paragraphs [0006], [0008], [0068], [0070], and [0090] of the specification are amended to correct minor informalities.

**Rejection Under 35 U.S.C. §102(b)**

Claims 1-8, 10, and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by Yamashita et al. (U.S. 4,117,813). This rejection is respectfully traversed.

The Applicant respectfully submits that independent claims 1 and 7, as currently written, are in condition for allowance.

Independent claims 1 and 7 each recite a combination of elements directed to an oil passage structure, including

an oil passage formed so as to extend around said cylinder head, oil discharged from an oil pump of the engine being fed through said oil passage,

wherein a downstream end of said oil passage is in communication with the screw type lifter.

In addition, independent claim 13 is added herein to recite a combination of elements directed to an oil passage structure, including

an oil passage formed so as to extend around said cylinder head, oil discharged from an oil pump of the engine being fed through said oil passage,

wherein the oil passage extends from the oil pump to an exhaust side camshaft, to a intake camshaft and then to a screw type lifter of the engine.

The features of independent claims 1, 7, and 13 can be clearly seen, for example, in FIG. 6.

By contrast, as can be seen in FIG. 16, and column 11, line 66 of Yamashita et al., element 333 merely refers to an air passage formed in carburetor 300. Yamashita et al. do not disclose an oil passage extending around the cylinder head for discharging oil from an oil pump, wherein the downstream end communicates with the screw type lifter, as presently claimed.

In the Examiner's Office Action, it is believed that the Examiner considers the oil passage to be element 221 in Figure 3. However, element 221 is identified at column 9, lines 30-31 as being a wall of the block. In view of this, clarification is requested.

Therefore, at least for the reasons stated above, the Applicant respectfully submits that the combination of elements as set forth in each of independent claims 1, 6, and 13 is not disclosed or made obvious by the prior art of record, including Yamashita et al.

Therefore, independent claims 1, 7, and 13 are in condition for allowance.

The Examiner will note that dependent claims 3 and 9 are amended to place them in better form, and dependent claims 14-17 are added to set forth additional novel features of the invention.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b) are respectfully requested.

### **CONCLUSION**

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete

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Reply to Office Action of July 26, 2004

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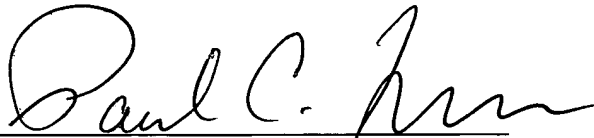
response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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